

**MINUTES OF THE  
WORKERS' COMPENSATION ADVISORY BOARD  
100 W. RANDOLPH ST., 8<sup>TH</sup> FLOOR, CHAIRMAN'S CONFERENCE ROOM, CHICAGO, IL  
HELD ON JULY 25, 2011**

WCAB members present:

Chairman Mitch Weisz, ex officio member

EMPLOYEE MEMBERS

Richard Aleksy	Corti, Aleksy, and Castenada
Aaron Anderson	Painters Dist. Council #30
Michael Carrigan	Illinois AFL-CIO
Philip Gruber (on phone)	Internat'l Assoc. of Machinists and Aerospace Workers
Mark Prince	Prince Law Firm
Sean Stott	Laborers' International Union

EMPLOYER MEMBERS

Mitchell Abbett	Holten Meat Inc.
John Carpenter	Chicagoland Chamber of Commerce
Mark Denzler	Illinois Manufacturers' Assoc.
David Halffield	Sears Holdings Mgmt. Co.
William Lowry	Nyhan, Bambrick, Kinzie, and Lowry
David Vite	Illinois Retail Merchants Assoc.

IWCC staff present:

Susan Piha, Manager of Research and Education, acting as Secretary for this meeting  
Ron Rascia, General Counsel  
Darrell Widen, Asst General Counsel

Also present:

Jerome Stermer, Governor's Office  
Dave Menchetti  
Carolyn Parks, IWCC (on phone)  
Jay Shattuck (on phone)

Chairman Weisz called the meeting to order at 1:05 p.m. He welcomed all the newly-appointed members to the board and thanked them for their service.

Upon motion duly made, seconded and carried, the minutes of the WCAB meeting held on April 26, 2011 were unanimously approved.

**AGENDA ITEM: ESTABLISH RECOMMENDATION PROCESS IN REGARDS TO ARBITRATOR  
APPOINTMENTS AND REAPPOINTMENTS**

Chairman Weisz addressed the arbitrator appointment process first to accommodate Mr. Stermer's schedule. Mr. Stermer thanked the board members for their service at this critical moment, as the board's urgent first task is to make recommendations regarding new arbitrator appointments. Mr. Stermer explained that the Governor's Office set up a website for applications and has been interviewing existing arbitrators. He encouraged the board to make their recommendations with dispatch, recognizing arbitrators' concerns about their jobs might affect their job performance.

Chairman Weisz asked the group how they would like to structure the appointment process. After discussion, the board agreed they will make recommendations on existing arbitrators before reviewing new candidates.

Mr. Lowry suggested four broad criteria with which candidates may be reviewed:

1. knowledge of the law
2. unbiased application of the law
3. docket efficiency
4. civility and judicial demeanor

There was agreement on these criteria, along with some discussion of what constitutes unbiased application. Chairman Weisz explained that staff did send the Governor's Office performance statistics, but he explained the limitations of the data and cautioned members to consider them as only one indication of performance. It was agreed that IWCC staff will send Mr. Carrigan and Mr. Vite the performance statistics that were sent to the Governor's Office.

Mr. Abbett suggested they develop one set of interview questions. Chairman Weisz asked all members to email him question suggestions, and he promised to email back a draft set of questions by the end of the July 26<sup>th</sup> work day.

The board also agreed to vote on candidates after interviewing all of them, rather than after each candidate. They also agreed that no recommendation on an arbitrator will be made without at least one vote from each side, to ensure fairness. This will be established as a working policy, subject to further review/refinement.

The WCAB agreed to review the files and meet next Monday, August 1, commencing at 12 noon and Tuesday, August 2, commencing at 9 am, for short interviews with the arbitrators.

#### **AGENDA ITEM: UPDATE ON THE IWCC FROM THE CHAIRMAN**

Chairman Weisz noted the new law requires three arbitrators at each downstate hearing site. (Downstate = outside of Cook County) He said the working concept is to reduce the number of downstate hearing sites from 23 to 15, and create 5 zones of 3 hearing sites each. For example, Zone 1 will consist of Collinsville, Herrin, and Mt Vernon.

The IWCC will convert the two-month continuance cycle to three months, so that each month, one arbitrator from a zone will appear at one of the three sites in a zone. The arbitrators will rotate each month to a new site in the zone. To avoid arbitrator shopping, cases will stay with the assigned arbitrator; if a party files a petition for an emergency hearing, the attorney might need to travel to another site.

Chairman Weisz also noted a number of staff changes. CFO Carol Reckamp has resigned, and the chairman is now interviewing to fill her position. Bob Devereaux has been hired as fraud prevention and efficiency controller, Mark Kimmet as internal auditor, and Ron Rascia as general counsel.

There was a motion to adjourn, seconded, and carried. The meeting adjourned at 2:30 p.m.